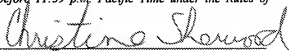


PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on November 14, 2008 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.


Christine Sherwood

Applicant : Biedermann, Lutz Confirmation No. 4926
Application No. : 10/660,453
Filed : September 11, 2003
Title : SPACE KEEPER FOR VERTEBRAE OR INTERVERTEBRAL DISC SK
Grp./Div. : 3738
Examiner : David H. Willse
Docket No. : 58780/B884

**INFORMATION DISCLOSURE STATEMENT (37 CFR §1.97(b) AND
CROSS REFERENCE TO COMMONLY OWNED RELATED APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
November 14, 2008

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Copies of each of the listed non-U.S. references are enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b).

It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Application No. 10/660,453

The listed references except for EP 1 346 709 A2, JP 49-11836, JP 2001-526083, and WO 99/32055, were cited in commonly owned related application Serial No. 10/660,452, which is also pending before Examiner Willse.

The Commissioner is hereby authorized to charge any fees which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any Deposit Account transaction.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

Mark Garscia
Reg. No. 31,953
626/795-9900

MEG/cks

Enclosures: PTO/SB/08A/B, w/references

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